

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

|                           |   |  |
|---------------------------|---|--|
| -----X                    |   |  |
| UNITED STATES OF AMERICA, | : | 11 Cr. 310 (PGG)                         |
|                           | : |  |
| – <i>against</i> –        | : | DECLARATION IN SUPPORT OF                |
|                           | : | DEFENDANT JAVEL TAYLOR’S                 |
|                           | : | MOTIONS PURSUANT TO RULE                 |
| JAVEL TAYLOR,             | : | <u>29(c), AND RULE 33, FED.R.CRIM.P.</u> |
|                           | : |  |
| Defendant.                | : | (filed electronically)                   |
|                           | : |  |
| -----X                    |   |  |

JOSHUA L. DRATEL, pursuant to 28 U.S.C. §1746, hereby affirms under penalty of perjury:

1. I am a lawyer, and I represent defendant Javel Taylor in the above-captioned case. I make this Declaration in support of Mr. Taylor’s motions, pursuant to Rule 29 (c), and Rule 33, Fed.R.Crim.P., for a judgment of acquittal and/or new trial on both counts.

2. Filed herewith are a Notice of Motion and a Memorandum of Law in support of these motions. The bases for the motions are set forth in detail in the accompanying Memorandum of Law and incorporate by reference the proceedings, transcripts, and exhibits at trial. Also, it is respectfully requested that the facts set forth within that Memo of Law be incorporated by reference in this Declaration.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief. 28 U.S.C. §1746. Executed January 6, 2012.

/S/ Joshua L. Dratel  
JOSHUA L. DRATEL